

**MINUTES OF CRIMINAL PROCEEDINGS
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA

JUDGE PATRICIA A. GAUGHAN

DATE.: December 6, 2019

vs.

CASE NO.: 1:16CR224-003

Radu Miclaus

COURT REPORTER: Donnalee Cotone

United States Attorney: Duncan Brown & Brian McDonough

Attorney for Defendant: Michael O'Shea

Retained () CJA (✓) FD ()

PTS/Probation Officer: Naomi Morgan

Interpreter:

() DEFENDANT ARRAIGNED.

Plea of () GUILTY () NOT GUILTY () NOLO CONTENDERE entered to count(s) _____ of the
() INDICTMENT () INFORMATION.

Bond \$ _____ () SET; () CONTINUED; () COMMITTED; () DETAINED

() Defendant waives reading of indictment.

() Waiver of indictment executed.

() Pretrial set for

() DEFENDANT'S PLEA OF NOT GUILTY WITHDRAWN.

Plea of () GUILTY () NOLO CONTENDERE entered to count(s) _____ of the () INDICTMENT
() INFORMATION.

() Referred to Probation for Presentence Report.

() Plea agreement executed between parties.

() Sentencing set for

(✓) DEFENDANT SENTENCED.

(✓) Committed to the custody of the Bureau of Prisons for a period of 192 months on Counts 1 - 13 & 21;
60 months on Count 14; 120 months on Count 15 ALL to run CONCURRENT; 24 months as to Counts 16 -
20 to run CONCURRENT with each other, but CONSECUTIVE to the other Counts for a TOTAL of 216
months.

(✓) Defendant given credit for time served since 9/29/2016.

(✓) Period of 3 years on Cts. 1 - 15 & 21 and 1 year on Cts. 16 - 20 ALL to run Concurrent of
SUPERVISED RELEASE with standard/special conditions as ordered. (See reverse side)

() Period of _____ year of PROBATION with standard/special conditions as ordered. (See reverse
side)

(✓) Pursuant to 18:3013 USC, Defendant is to pay a SPECIAL ASSESSMENT of \$ 100.00 as to each
of Counts 1 - 21 for a total of \$ 2,100.

() Upon motion of the AUSA, count(s) _____ is/are dismissed.

() Execution of the sentence deferred and the bond continued. Defendant shall report to the designated
institution upon notification by the Bureau of Prisons or the U.S. Marshal's Office.

() The Court recommends commitment at the FCI at _____.

STANDARD/SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION

- ☐ Defendant to perform _____ hours of community service work.
- ☐ Defendant is to reside in a Community Treatment Center for a period of _____ days/months to begin not later than _____. (Work/Medical/Religious Services release privileges granted).
- ☐ Defendant shall participate in the Location Monitoring Program for a period of _____ months, beginning _____. Defendant will be required to remain in his place of residence, unless given written permission in advance by the Probation Officer to be elsewhere. (Work/Medical/ Religious Services release privileges granted). Location monitoring technology at the discretion of the officer.
- ☐ Defendant may participate in the Discretionary Leave Program.
- ☐ Defendant shall pay the cost of the Location Monitoring Program.
- ☐ Defendant shall participate in an approved program of substance abuse testing and/or outpatient or inpatient substance abuse treatment as directed by their supervising officer; and abide by the rules of the treatment program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). The defendant shall not obstruct or attempt to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing.
- ☐ Defendant must not use or possess alcohol.
- ☒ Defendant shall submit to one drug test within 15 days of the commencement of supervised release and to at least two periodic drug tests thereafter as directed by the probation officer. (SUSPENDED)
- ☐ Defendant must undergo a mental health evaluation and/or participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program(provider, location, modality, duration, intensity, etc.).
- ☒ Defendant shall not incur new credit charges or open additional lines of credit without the approval of the Probation Officer (unless the defendant is in compliance with the payment schedule).
- ☒ Defendant must provide the probation officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office.
- ☒ Defendant shall report in person to the U.S. Probation Office in the district to which the defendant is released, within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ Defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release/probation.
- ☐ Defendant shall not possess a firearm or destructive device.
- ☒ Defendant shall submit to a warrantless search.
- ☐ Defendant shall cooperate with the collection of DNA.
- ☒ Defendant shall apply all monies received from income tax refunds, lottery winnings, judgments, and/or any other anticipated or unexpected financial gains to the outstanding court-ordered financial obligation.
- ☐ Defendant shall pay the imposed FINE of \$_____ to be paid within 90 days.
- ☒ Fine NOT ordered due to defendant's inability to pay.
- ☐ Defendant shall make RESTITUTION to _____ in the amount of \$_____ pursuant to 18:3579/18:3663.
 - ☐ Payments shall be made through the BOP's Inmate Financial Responsibility Program at a rate of ____% gross monthly income. Any unpaid amount upon release from prison, shall be made at a minimum rate of not less than ____% gross monthly income to commence within 60 days of release.
- OR**
- ☐ Payments shall be made at a minimum rate of not less than ____% gross monthly income.
- ☐ Defendant shall enter an adult program and work toward a Certificate of General Educational Development (GED) at the discretion of the U.S. Pretrial Services and Probation Officer.
- ☐ Defendant must participate in a Cognitive Behavioral Treatment Program.

COMMENTS: Additional Conditions- Deportation; Employment Restrictions; Computer Monitoring Software; Computer Search for Monitoring Software; Computer Search Warning to Others, and No Internet Access.

Time: 4 hrs.

Govt.'s Witness- S/A Ryan Macfarlane

/s/ Patricia A. Gaughan
Patricia A. Gaughan, Chief Judge
United States District Court